

Sam Joyner

Subject: Purdue v. STMicroelectronics N.V. et al.--Conference regarding November 29, 2021 discovery dispute
Location: <https://us02web.zoom.us/j/89915350606?pwd=dXQ3VE9Bb0YybVhFUHpWdE1wS28vdz09>

Start: Wed 12/1/2021 10:00 AM
End: Wed 12/1/2021 10:30 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Sam Joyner
Required Attendees: Bruce S. Sostek; Wynne, Richard L (DAL - X61386); Cohen, Justin S (DAL - X61211); Haghighatian, Nadia E (DAL - X61261); Bustamante, Bryan J (DAL - X61364); Max Ciccarelli; Alfonso G. Chan; Mark Siegmund

zmMeetingNum: 89915350606

Sam Joyner is inviting you to a scheduled Zoom meeting regarding the following discovery dispute email (which is also attached):

Bruce,

On November 15, 2021, Defendants, by and through Thomas Tarnay (TXBN 24003032) of Thomas Tarnay PLLC, 2103 Virginia Place, Parker, TX 75094, served Plaintiff with six document requests (attached). The party fact discovery sought concerns a document referenced in paragraphs 168-72 of ST-INC's answer (PRR-1), documents regarding allegations in paragraphs 117 and 122-76 of ST-INC's answer (PRR-2), two federal contracts identified in the '112 patent at 1:13-7 (PRR-3 & PRR-4), and documents regarding allegations in paragraphs 129-30 of ST-INC's answer (PRR-5 & PRR-6). This discovery event was surprising for several reasons. First, the OGP prohibits Defendants from seeking this type of discovery before the *Markman* hearing. *See* ECF No. 24 (October 8, 2021 OGP) at 2 ("Except with regard to venue, jurisdictional, and claim construction-related discovery, all other discovery shall be stayed until after the *Markman* hearing."); *see also* November 17, 2021 [OGP](#) at 2 (same). Second, the Scheduling Order prohibits Defendants from serving party fact discovery before April 26, 2022. *See* ECF No. 45 (November 22, 2021 Scheduling Order) at 3.) Third, Defendants have provided no explanation supporting their belief that, as a result of the November 22, 2021 Scheduling Order, the party fact discovery is permissible. Given Defendants' conduct, and pursuant to the Court's discovery dispute procedure, Plaintiff requests that Defendants stipulate to the opening of party fact discovery immediately. If Defendants refuse to do so, Plaintiff will seek the specific relief requested from the Court.

We look forward to receiving Defendants' response by Thursday, December 2. If you would like to discuss this discovery dispute further, please let us know the dates/times before December 2 that you are available.

Thank you,

Sam

Join Zoom Meeting

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